

Remarks

Applicant has received and reviewed the Office Action dated October 20, 2008. No new matter has been added. Claims 13, 14, and 16 are pending. Claim 13 is amended. No new claims have been added. Applicant submits that the amendments to claim 13 are supported at least at Figures 2, 4, 6-7, and page 5, second full paragraph.

For the reasons given below, Applicant submits that the amended claims are in condition for allowance and notification to that effect is earnestly solicited.

35 U.S.C. § 102(b)

The Examiner rejected claims 13-14 and 16 under 35 U.S.C 102(b) over *Ikeda*, EP 1128082. Applicant respectfully traverses this rejection.

The strut (15) placement of the presently claimed invention is limited to a position at the upper end of the brake drum, proximal to the cylinder assembly. *Ikeda* limits the strut (70) placement to the opposite end of the brake drum device from the wheel cylinder (20). Therefore, the presently claimed invention is novel because *Ikeda* does not disclose, teach, or suggest each and every limitation of the presently claimed invention.

Applicant respectfully submits that the braking system disclosed in the *Ikeda* reference does not meet each and every element of the presently claimed invention. Applicant submits the *Ikeda* reference discloses a braking system in the first embodiment where “a strut 70 is positioned between the other end 60b (hereinafter ‘lower end 60b’) and an intermediate portion of 50d of the brake shoe 50 closer to the lower end 50b thereof.” See Col. 4, lines 51-55. Applicant submits the first embodiment, represented in Figure 1 of *Ikeda*, discloses a braking system wherein the wheel cylinder (20) and strut (70) are at opposite ends of the drum brake device. Applicant respectfully submits the *Ikeda* reference discloses a braking system in the second embodiment where the same reference numbers used in the first embodiment are similarly used in the second embodiment. See Col. 8, lines 42-46. The second embodiment does disclose a second strut (90) as a component of a parking brake mechanism; however, this second

strut is for use as a parking break and bears no resemblance or function to the strut of the presently claimed invention. *See* Col. 10, lines 13-19 and Figure 7.

Unexpectedly and in contrast to *Ikeda*, the presently claimed invention makes use of the unutilized space on the leading shoes near the wheel cylinder so to enhance the utility of the drum brake assembly for an automotive braking system. *See* Paragraph 0025. The invention envisages utilization of the space on the leading shoe web near the wheel cylinder. *See* Paragraph 0045. This utilization of space allows the new lever (17) to rotate about its pivot (18) point and push the strut assembly (15) resulting in the unexpected decrease in input pressure when compared to conventional drum brakes. *See* Figures 9-11. The presently claimed invention is characterized in that the lever is pivotally inclined with respect to the lined leading shoe such that the rear end of the lever is sustained by the strut positioned at the upper end of the brake drum, proximal to the cylinder assembly. Thus, *Ikeda* does not disclose or even suggest each and every element of the presently claimed invention.

The Office Action alleges the brake device of *Ikeda* is capable of being installed in an orientation in which the strut (70) is positioned in the upper end. *see* Page 3. Applicant respectfully disagrees. While the *Ikeda* braking system may be mounted upside down, resulting in a position for strut (70) at the “upper end” of the picture, this position is still opposite the wheel cylinder (20) in the brake drum device. *Ikeda* does not disclose, suggest, or even hint at placing strut (70) anywhere but opposite the cylinder assembly. *See* Figure 1. The strut (15) of the presently claimed invention is located at the upper end of the brake drum, proximal to the cylinder assembly.

Further and unexpectedly, the presently claimed invention results in an average increase of about 60% in brake output torque with the same pressure input as a conventional design. *See* Figures 9-11.

Applicant submits because *Ikeda* does not meet each and every limitation of claim 13, that dependant claims 14 and 16 are also in condition for allowance.

Accordingly, based on the foregoing differences, Applicant submits that the presently claimed drum brake is neither taught nor suggested by the cited reference, and withdrawal of this rejection is earnestly solicited.

Summary

In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

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